

REMARKS

Claims 1 to 37 appear in this application for the Examiner's review and consideration.

Applicants acknowledge with appreciation the courtesies shown to Applicants' representative, Alan P. Force (Reg. No. 39,673), by Legal Instruments Examiner Gloria Trammell in a telephone conference on July 31, 2006. Applicants submit that the present Response is in accordance with the instructions received from Examiner Trammell.

The Notice of Non-Compliant Amendment stated that the Amendment filed July 3, 2006, which was dated and mailed June 28, 2006, was considered non-compliant because it allegedly failed to meet the requirements of 37 U.S. §1.121(d), because the drawings were not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet."

In response, Applicants submit herewith copies of the drawings submitted with the Amendment dated June 28, 2006, each of which is now identified as an "Annotated Sheet." The drawings are copies of Figures 5 and 6 from U.S. Patent No. 5,880,283 to Masumoto et al. (Masumoto). As set forth in the Amendment dated June 28, 2006, the drawings are submitted to allow the Examiner to make a direct comparison between the x-ray diffraction patterns of the presently claimed invention and those of the cited prior art.

Therefore, as the correction required in the Notice of Non-Compliant Amendment is submitted herewith, Applicants submit that the Amendment meets the requirements of 37 C.F.R. §1.121, and respectfully request that the Amendment dated June 28, 2006, be entered and considered by the Examiner.

Applicants submit that the entire application is now in condition for allowance, an early notice of which would be appreciated. Should the Examiner not agree with Applicants' position, a personal or telephonic interview is respectfully requested to discuss any remaining issues prior to the issuance of a further Office Action, and to expedite the allowance of the application.

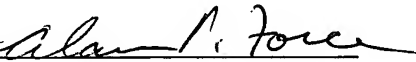
Appl. No. 10/635,337
Response Dated August 28, 2006
Reply to Notice of Non-Compliant Amendment Dated July 14, 2006

A Request for Extension of Time and associated fees are included with this Response.
Should any additional fees be due, however, please charge such fees to Deposit Account No.
11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Dated: August 28, 2006

By: 
Alan P. Force
Reg. No. 39,673
One Broadway
New York, NY 10004
(212) 425-7200